

Appl. No. 10/019,179
Atty. Docket No. CM2174M
Response. Dated September 1, 2004
Reply to Office Action Of August 16, 2004
Customer No. 27752

RESTRICTION REQUIREMENT

I. Remarks

On December 20, 2001, Applicants filed a preliminary amendment wherein Claims 17-20 where canceled and Claims 3-9 where amended to depend from Claim 1 and Claims 14 and 15 where amended to depend from Claim 10. Applicants' response is drafted to reflect such preliminary amendment.

I. Election With Traverse

The June 15, 2004, Restriction Requirement under 35 U.S.C. 121 and 372 requires Applicants to select one group from the following groups for prosecution:

- Group 1 Claims 1-20 drawn to reaction products of aminoaryl derivatives.
- Group 2 Claims 1-20 drawn to reaction products of amino acids and derivatives.
- Group 3 Claims 1-20 drawn to reaction products of substituted amines.
- Group 4 Claims 1-20 drawn to reaction products of substituted amides.
- Group 5 Claims 1-20 drawn to reaction products of glucamines.
- Group 6 Claims 1-20 drawn to reaction products of dendrimers.
- Group 7 Claims 1-20 drawn to reaction products of polyvinylamines, derivatives or copolymers thereof.
- Group 8 Claims 1-20 drawn to reaction products of alkylene polyamine.
- Group 9 Claims 1-20 drawn to reaction products of polyoxyethylene bis amine or aminoalkyl.
- Group 10 Claims 1-20 drawn to reaction products of aminoalkyl piperazine and derivatives.
- Group 11 Claims 1-20 drawn to reaction products of bis (aminoalkyl) alkyl diamines.
- Group 12 Claims 1-20 drawn to reaction products of polyethyleneimines.
- Group 13 Claims 1-20 drawn to reaction products of 1,4-bis-(3-aminopropyl) 1,3 piperazine.

The proffered basis for such requirement is that the inventions of Groups 1-13 are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Applicants elect Group 12, drawn to reaction products of polyethyleneimines. Such election is made with traverse.

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II. Basis For Traverse

The Examiner contends that Groups 1-13 are not so linked as to form a single general inventive concept or that any feature that unites the inventions fails to make a contribution over the prior art. Applicants traverse such contention for the following reasons:

According to PCT Rule 13.2 and PCT Administrative Instructions, Annex B, Part 2(I) Example 1, unity of invention exists when there is a technical relationship among the inventions involving one or more of the same or corresponding special technical features. Claims 1-9 are process claims and Claim 10 is a process by product claim and Claims 11-16 depend from Claim 10. The process claims require the absence of solvent and/or drying. The amino-functional components of the reaction products of Groups 1-13 that the examiner has used to define Groups 1-13 are species of amino-function materials. Unity of invention exists as each of Claims 1-20 share, for example, the technical feature of the absence of solvent and/or drying, and such feature is not taught or suggested by the art.

Thus, pursuant to PCT Rule 13.2 and PCT Administrative Instructions, Annex B, Part 2(I) Example 1, unity exists between Applicants' claims and such claims are not properly subject to the aforementioned election requirement.

CONCLUSIONS

In view of the remarks presented herein, Applicants respectfully request that the restriction requirement be withdrawn and Claims 1-17 be allowed. In the event there are remaining issues, the Examiner is invited to call Applicant's undersigned attorney to discuss such issues.

Respectfully submitted,
Besseliere et al.

By _____

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